

S/N 09/892,727

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Swix et al. Examiner: Not yet assigned
Serial No.: 09/892,727 Group Art Unit: 2184
Filed: June 27, 2001 Docket No.: 60027.0018USU1/BS 01040
Title: REMOTE DIAGNOSTIC TOOL FOR A MEDIA DELIVERY NETWORK

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450 on September 21, 2004.

By:

Murrell W. Blackburn

Name: Murrell W. Blackburn

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked

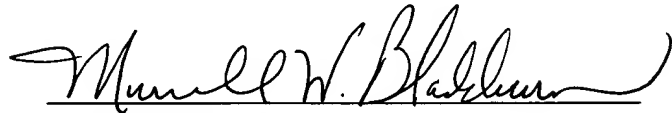
as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted

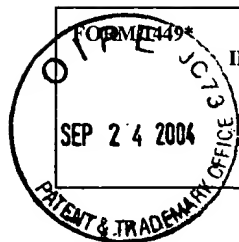
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(404) 954-5100

Date: September 21, 2004



Murrell W. Blackburn
Reg. No. 50,881




INFORMATION DISCLOSURE STATEMENT
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

60027.0018USU1/BS01040

Application Number:

09/892,727

Applicant: Scott Swix et al.

Filing Date: June 27, 2001

Group Art Unit: 2184

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|--------------|------------|--------------------|-------|----------|-------------------------------|
| | 5,991,399 | 11-23-1999 | Graunke et al. | 380 | 279 | |
| | 5,029,206 | 07-02-1991 | Marino, Jr. et al. | 380 | 4 | |
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FOREIGN PATENT DOCUMENTS

| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|--|--------------|------|---------|-------|----------|-------------|----|
| | | | | | | YES | NO |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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PATENT TRADEMARK OFFICE

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.